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Attorneys for Plaintiffs  
INTERAXON INC. AND INTERAXON  
U.S., INC.

Court Appointed Counsel for Defendant  
JONATHAN D. COWAN

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

InteraXon Inc. and InteraXon U.S., Inc.,  
Plaintiffs,  
v.  
NeuroTek, LLC, MindWaves, LTD., and  
Jonathan D. Cowan,  
Defendants.

Case No. 15-cv-05290-KAW

**JOINT NOTICE OF SETTLEMENT  
AND MOTION FOR 45-DAY  
TEMPORARY STAY OF ALL  
LITIGATION DEADLINES**

Plaintiffs InteraXon Inc. and InteraXon U.S., Inc. (collectively “InteraXon”) and Defendant Jonathan D. Cowan (“Cowan”) file this Joint Notice Of Settlement And Motion For 45-Day Temporary Stay Of All Litigation Deadlines notifying the Court as follows:

1. Pursuant to the Court’s Order (Dkt. No. 162, 163), on January 10, 2017, InteraXon and Cowan participated in a settlement conference before Judge Nandor J. Vadas.

2. InteraXon and Cowan have reached an agreement in principle that resolves all

claims asserted by InteraXon against all Defendants, and all claims asserted by Cowan against InteraXon, in the above-entitled and numbered action.

3. InteraXon and Cowan will memorialize the terms of their agreement and expect to file a stipulation of dismissal requesting that the Court dismiss with prejudice all claims asserted between InteraXon and Defendants in the above-entitled and numbered action within 45 calendar days of the date of this Notice.

4. On October 26, 2016, the Court stayed all proceedings in order for Cowan to be appointed pro bono counsel (*see* Dkt. No. 161). On November 3, 2016, the Court appointed pro bono counsel and the stay continued (*see* Dkt. No. 162). On January 3, 2017, the Court lifted the stay (*see* Dkt. No. 167).

5. During the previous stays, certain scheduled deadlines passed. The parties will work together, at the Court's direction, to propose a new schedule for past and upcoming dates, should settlement not be executed during the temporary 45-day stay.

Current	Proposed	Event
11/01/2016	TBD	Parties to file Joint Claim Construction & Prehearing Statement; parties to exchange expert declarations or other disclosures on claim construction for any experts who will submit declarations or testify regarding claim construction at the Claim Construction Hearing
12/1/2016	TBD	Claim Construction Discovery Cut-Off
01/06/2017	TBD	Cowan to file Opening Brief on Claim Construction
01/20/2017	TBD	InteraXon to file Responsive Brief on Claim Construction
01/27/2017	TBD	Cowan to file Reply Brief on Claim Construction
02/02/2017	TBD	Court conducts Claim Construction tutorial
03/02/2017	TBD	<i>Markman</i> Hearing

6. In addition to the above briefing and hearings, Cowan is scheduled to provide revised infringement contentions by January 17, 2017, and respond to InteraXon's First Amended Complaint by January 18, 2017.

1           7.       The parties respectfully and jointly move the Court to temporarily stay all of the  
2 above litigation deadlines to allow the parties to complete the settlement and avoid wasting the  
3 Court's and the parties' resources.

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5 Dated: January 13, 2017

Respectfully submitted,

**NORTON ROSE FULBRIGHT US LLP**

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7  
8 BY /s/ Robert Greeson

Robert Greeson

Robert Greeson (admitted *pro hac vice*)

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Attorneys for Plaintiffs

INTERAXON INC. AND INTERAXON U.S.,  
INC.

19 Dated: January 13, 2017

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Court Appointed Counsel for Defendant

JONATHAN D. COWAN

Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest and certify that concurrent in the filing of this document has been obtained from each of the other signatories who are listed on the signature pages.

/s/ Robert Greeson  
Robert Greeson

I hereby certify on this 13<sup>th</sup> day of January, 2017, that a copy of the foregoing was filed electronically through the Court's CM/ECF system, with notice of case activity generated and sent electronically to all parties.

/s/ Robert Greeson  
Robert Greeson